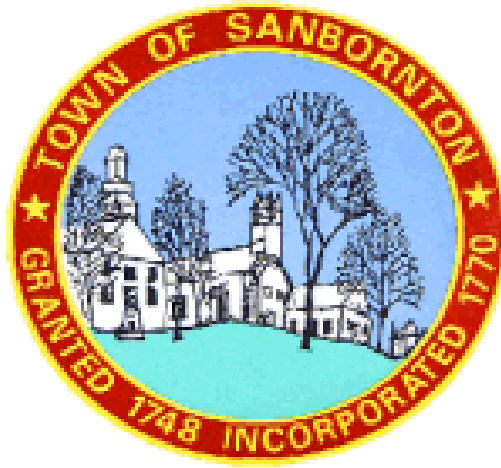


Town of Sanbornton, New Hampshire



SITE PLAN REVIEW REGULATIONS

Adopted: September 12, 1975

*Amended: September 7, 1989
March 5, 1998
October 20, 2011
November 2, 2017*

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AUTHORITY

Pursuant to the authority vested in the Town of Sanbornton Planning Board voted at the October 2, 1973 Town Meeting in accordance with the provisions of RSA 674:44 as subsequently amended, the Town of Sanbornton Planning Board adopts the following regulations governing the review and approval or disapproval of site plans for the development or change or expansion of use of tracts for non-residential uses or for multi-family dwelling units, which are defined as structures containing more than two dwelling units, whether or not such development includes a subdivision or re-subdivision of the site. These regulations shall be entitled: "Site Plan Review Regulations, Town of Sanbornton, New Hampshire".

EFFECTIVE DATE

ADOPTED ON:	September 12, 1975
REVISED ON:	September 7, 1989
FOLLOWING A PUBLIC HEARING ON:	September 7, 1989
PUBLIC HEARING ON AMENDMENTS:	August 7, 1997
AMENDMENTS ADOPTED ON:	March 5, 1998 October 20, 2011 November 2, 2017

SECTION I PURPOSE

A. The purpose of the Site Plan Review Regulations and the site plan review procedure is to:

1. Provide for the safe and attractive development of the site and guard against such conditions as would involve danger or injury to health, safety, or prosperity by reason of inadequate drainage or conditions conducive to flooding of the property or that of another, inadequate protection for the quality of groundwater, undesirable and preventable elements of pollution such as noise, smoke, soot, particulate, or any other discharge into the environment which might prove harmful to persons, structures, or adjacent properties, and inadequate provision for fire safety, prevention, and control.
2. Provide for the harmonious and aesthetically pleasing development of the municipality and its environs.
3. Provide for open space and green spaces of adequate proportions.
4. Require the proper arrangement and coordination of streets within the site in relation to other existing or planned streets or with features of the official map of the municipality.

5. Require that public highways and streets which service the site are adequate in design and capacity.
6. Require suitably located streets of sufficient width to accommodate existing and prospective traffic and to afford adequate light, air and access for firefighting apparatus and equipment to buildings, and be coordinated so as to compose a convenient system.
7. Require, in proper cases, that plats showing new streets or narrowing or widening of such streets be submitted to the Planning Board for approval.
8. Require that the land indicated on plats submitted to the Planning Board shall be of such character that it can be used for building purposes without danger to health and include such provisions as will tend to create conditions favorable for health, safety, convenience, and prosperity.

SECTION II PROCEDURES

- A. Site Plan Review shall be conducted in accordance with the procedural requirements contained in Subdivision Regulations, Section 5.2 Formal Application, for review of final plats including the notice to abutters and a public hearing in accordance with NH RSA 674:44, as amended.
 1. The list of all abutters shall be included with the application; also abutters shall be shown on the plan.
 2. The applicant shall bear all the costs of review, including the cost of notifying abutters, the Board's administrative expenses, the costs of special investigations, the review of documents, and other costs required by particular applications (NH RSA 674:44 and RSA 676:4.
 3. If the proposed site plan meets the evaluation criteria as defined in Section V (General Standards) and is approved by the Planning Board, then the applicant may apply for a Certificate of Zoning Compliance (CZC). No CZC will be issued until approval of the site plan by the Planning Board is granted. The applicant will be notified of approval or disapproval of site plans.

SECTION III SUBMISSION REQUIREMENTS

- A. All projects shall submit the following:
 1. Completed application and checklist for site plan review.
 2. Site Plan (prepared by a licensed professional engineer or landscape architect):
 - a. Sheet size: 22"x34" or 24"x36".
 - b. Scale: Preferably at 1" = 50' but not greater than 1" = 100'.
 - c. Match lines when needed.
 - d. Three (3) paper prints of each plan sheet (black line) and one reproducible Mylar.

- e. Name and address of owner of record and applicant if other than the owner.
 - f. Names and mailing addresses of owners of abutting properties.
 - g. Name and addresses of developer and site plan designer.
 - h. Date of preparation.
 - i. Title.
 - j. North arrow.
 - k. Location key sketch at scale of 1" = 2000'.
 - l. Easements and rights-of-way.
 - m. Topographical plan with contour lines of two (2) foot vertical intervals. Benchmark from USGS datum.
 - n. Zoning District.
3. List of current names and addresses of all abutters and pre-addressed, prestamped certified mail envelopes for each abutter as well as the owner or applicant and any professionals whose stamp appears on the site plan.
 4. Fees as set by the Planning Board.

SECTION IV REQUIRED EXHIBITS AND DATA

A. Applications shall provide the following information on the site plan or addendum:

1. Plan of site (to scale) showing property, existing natural features including water courses and water bodies, trees and other vegetation, topographical features and other features which should be considered in the site design process.
2. Location of all buildings with their type, size, location (setbacks), and elevation of first floor indicated (assume permanent on-site elevation).
3. An elevation view or photograph of all buildings (existing and proposed) indicating the height of the highest roofline.
4. Location and dimensions of all non-vehicular paved areas such as walkways and patios.
5. The location, width, type of paving and curbing for all access ways and egress ways (driveways), plus off-street parking and loading spaces with a layout of parking indicated.
6. The type and location of solid waste disposal facilities.
7. The location, size and design of proposed signs and other advertising or instructional devices.
8. The location and type of lighting for all outdoor facilities, including direction and area of illumination.

9. Lines of all existing adjoining streets.
10. The size and location of water supply and sewage facilities and provisions for future expansion of sewage and water facilities, and all distances from existing water and sewage facilities on the site and on abutting properties to a distance of 200 feet.
11. The location, elevation and layout of catch basins, storm drains, and other surface drainage features which provide for retention or slow release or storm water and/or ground water recharge.
12. The location of areas dedicated to plowed snow storage which do not conflict with pedestrian/vehicular traffic, parking, landscaping and surface drainage.
13. Existing and proposed contours and finished grade elevation – all contours shall be a minimum of 2-foot contour intervals.
14. The type, extent and location of existing and proposed landscaping and open areas indicating what existing landscaping and open areas will be retained.
15. The size and location of all overhead and underground public service connections such as; gas, power, telephone and fire alarm.
16. If any portion of the property boundary is proposed to be changed, the applicant must provide a boundary survey prepared and stamped by a licensed land surveyor showing surveyed property lines, bearings and, distances along property lines and monument locations, and names and addresses of all abutters.
17. Any other exhibits or data that the Planning Board may require in order to adequately evaluate the proposed development for site plan review.

SECTION V GENERAL STANDARDS

- A. Design of development should fit the existing natural and man-made environments with the least negative impact and shall comply with Section V, subsections A through K:
 1. Site preparation shall be conducted with minimal disturbance to existing vegetation. Stripped topsoil shall be piled and reused on the site where needed. A minimum of four inches of topsoil shall be placed on the disturbed area. The site shall be landscaped as per the Landscape Design Standards (see subsection K in Section V).

2. Landscape treatment shall consist of natural, undisturbed vegetation or features, or ground cover, shrubs or trees as per the Landscape Design Standards (see subsection K in Section V).
 3. Grading and filling shall be conducted to minimize the alteration of surface and subsurface properties, unless the written consent of the abutting owner is obtained.
- B. Appropriate buffers shall be maintained or installed to provide privacy and noise reduction to residential areas abutting non-residential sites:
1. Buffer strips (the number of feet depending largely on the density of development in the area) shall be maintained between proposed use and abutting properties. Buffer strips shall contain vegetation or appropriate fencing which will screen the proposed use from sight from adjoining residential areas throughout the year.
- C. Screening shall be provided to reduce visual impact:
1. Storage areas shall be fenced or screened throughout the year from on-site or adjoining parking and neighboring properties.
 2. Litter (garbage) storage areas shall be screened throughout the year.
 3. The use of either fencing or plant materials is permitted.
- D. Parking and Loading and Pedestrian Safety:
1. Sufficient off-street parking shall be provided for the anticipated use to accommodate both employees and customers so that parking is not forced onto public streets or nearby properties.
 2. Sufficient off-street loading and/or unloading space shall be provided including off-street areas for maneuvering of anticipated trucks or other vehicles which shall be designed to ensure the safety of vehicles and pedestrians on the site. Maneuvers for parking and/or loading or unloading spaces shall not take place from a public street.
 3. Access, parking and loading areas shall be constructed so as to minimize dust, erosion, and runoff conditions that would have a detrimental effect on abutting or neighboring properties and public rights-of-ways, and shall be designed to ensure the safety of vehicles and pedestrians.
 4. Permeable pavement may be required to reduce the need for the installation of drainage facilities to accommodate runoff, however, the Board may require that access, parking and loading areas be conventionally paved if appropriate or necessary.

E. Erosion and Sedimentation:

1. A soil erosion and sediment control plan in accordance with Article 4, Paragraph M (Soil Erosion and Sediment Control in Land Development) or Article 14 (Shorefront District) of the Sanbornton Zoning Ordinance, whichever is applicable, shall be provided by the applicant.

F. Signs and Illumination:

1. Fully shielded lighting fixture(s) shall be used to prevent glare on abutting properties or on public highways or streets. Glare occurs when you can see light directly from the fixture or bulb.
2. Lighting fixture(s) shall be positioned to maximize their effectiveness on the targeted property and minimize their adverse impact beyond the property borders. Moving, fluttering, blinking or flashing lights or signs are not permitted. Maximum height of lighting fixture(s) shall be 20 feet above finished grade.
3. Outdoor lighting is restricted to that which is necessary for advertising, safety and security of the development. Position fixture(s) to give adequate uniformity of the illuminated area.
4. High voltage mercury bulbs are not permitted. The use of low wattage bulbs such as low-pressure sodium and compact fluorescent bulbs is recommended.
5. Signs shall comply with Article 4 Paragraph C Advertising Signs and all other provisions of the Sanbornton Zoning Ordinance.

G. Access to Public Streets:

1. Access to public streets shall be in conformance with the rules and regulations of the New Hampshire Department of Transportation and the Town, as adopted and amended.

H. Water Supply and Sewage Disposal:

1. Water supply and sewage disposal systems shall be sized to adequately meet the needs of the proposed use under the regulations of the New Hampshire Department of Environmental Services, and Town regulations. In areas not currently served by public sewers, it shall be the responsibility of the developers or their agent to provide adequate information to prove that the area of the lot is adequate to permit installation and operation of an individual sewage disposal system. Applicants shall provide evidence of NHDES septic system permit to serve the proposed use.
2. The developer shall be required to provide the necessary percolation tests and submit such tests together with the proposed plan to the New Hampshire

Department of Environmental Services, for its consideration and approval. Such approval shall be obtained before site plan approval can be requested.

I. Flood Hazard Areas:

1. All site plans will be reviewed to determine whether such proposals will meet existing floodplain regulations. If such a proposal is determined to be in a flood prone area, such proposals will be reviewed to assure that:
 - a. All such proposals are consistent with the need to minimize flood damage within the flood prone area.
 - b. All public utilities and facilities such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage.
 - c. Septic systems, if required, shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharges from the system into floodwaters.
 - d. The lowest occupied floor is elevated or flood proofed to or above the base flood elevation.

J. Any or all of the following studies may be required at the discretion of the Planning Board:

1. Nutrient loading analysis
2. Hydrogeological study
3. Environmental impact analysis
4. Economic impact study
5. Traffic impact analysis
6. Wetlands mapping study
7. Noise and sound level study
8. Additional soils and water analysis

K. Landscaping and Screening Requirements:

1. Objectives:

The goals of these landscaping and screening requirements are: to enhance the visual appearance of the town; to maintain and protect property values; to provide a better transition between and improve the compatibility of abutting and nearby land uses, particularly as concerns residential neighborhoods and adjacent to or in the vicinity of commercial or business districts; to provide, within and on the perimeter of parking areas, landscaping that facilitates safe movement of pedestrians and vehicles, breaks up large areas of impervious surfaces, and provides shade; to ensure throughout the town, appropriate barriers to and relief from traffic, noise, heat, glare, and odor; to improve air quality; and to promote energy efficiency and conservation in site design, building construction, and landscaping.

2. General Requirements for Landscaping:

a. Energy Conservation and Efficiency:

Earth berms and plant materials should be used where practical to assist in energy conservation and efficiency. Suggested alternatives are as follows: use earth berms and dense evergreens to protect buildings and exterior use spaces against winter winds; use deciduous trees to provide summer shade and allow winter sun; and use deciduous vines on fences, trellises and arbors to provide summer shade. All plant material shall be hardy for Zone 4 or less;

b. Maintenance:

The property owner shall be responsible for maintaining all landscaping within the boundaries of the property in good condition so as to present a healthy, neat, and orderly appearance. The property owner shall replace any unhealthy or dead plant materials required by the approved landscaping and screening plan. Such plant materials shall be replaced within the ensuing year by the property owner. Non-living durable material shall likewise be maintained in attractive condition;

c. Erosion Control:

- (c)1. Graded areas shall be re-vegetated to ensure erosion control by seeding, mulching and fertilizing. Disturbed areas shall be planted with suitable plant materials.
- (c)2. Netting shall be provided on slopes exceeding 2:1 while ground cover is being established;

d. Existing Plant Material Credit:

Where healthy plant material exists on the site prior to development, every effort should be made to preserve that plant material on a permanent basis;

e. Sight Obscuring Plantings Prohibited:

All planting, fences, and/or walks necessitated by these landscaping and screening requirements must not cause sight obstruction at intersections. All plant materials must be pruned as necessary to comply with Town and State standards;

f. Encroachment on Landscaped Areas:

The storage, display or parking of vehicles, boats, manufactured housing, travel trailers, or construction equipment shall only be allowed in designated areas as shown on the Site Plan except during construction;

h. Adjustments to Landscaping and Screening Requirements:

Minor revisions to planting plans shall be approved by the appropriate Town staff, as determined by the Planning Board, if there is no reduction in the quality of plant material or no significant change in size or location of plant materials, and if the new plants are of the same general category

(i.e., shade, ornamental, or evergreen trees) and have the same general design characteristics (mature height, crown spread) as the materials being replaced. Proposed materials must also be compatible with the area to ensure healthy tree growth. If these criteria are not fulfilled, changes to approved plans must be resubmitted to the Planning Board for review.

3. Landscaping of Parking Areas:

a. Minimum size:

The minimum size of a parking area that requires landscaping is six (6) spaces; parking areas must be gravel or paved.

b. Landscaping Requirements for the Perimeter of Parking Areas:

(b)1. A landscaped strip at least five (5) feet wide shall be provided on the perimeter adjacent to abutting properties. In the Commercial and Light Manufacturing Zones where curbing is indicated on the interior boundary of the landscaped strip, curbs shall be granite;

(b)2. A landscaped strip at least ten (10) feet wide shall be provided on the perimeter of the parking area adjacent to abutting streets. In the Commercial and Light Manufacturing Zones where curbing is indicated on the interior boundary of the landscaped strip, curbs shall be granite;

(b)3. Where the perimeter of a parking area containing six (6) or more parking spaces adjoins or is within a residential zoning district such perimeter shall have a minimum landscaped width of fifteen (15) feet;

(b)4. One (1) tree of at least 2½-inch caliper at six (6) inches above ground shall be provided for at most every thirty-five (35) feet of perimeter;

(b)5. One (1) or more shrubs at least three (3) feet high at maturity shall be planted singly or in groups, at regular or irregular intervals, so that the average distance between plants is at most fifteen (15) feet. On public rights-of-way or driveway boundaries, the planting shall not exceed forty-two (42) inches in height. When earth berms are used their total height, including plantings, shall be in accordance with these two limits;

(b)6. In addition to landscaping, the Planning Board may require screening (see IX.B.3.d. below) for parking areas containing six (6) or more parking spaces; and

(b)7. The Planning Board may at its discretion approve an alternative landscaping design that accomplishes the objectives set forth in this Section.

c. Landscaping Requirements for the Interior of Parking Areas:

(c)1. A minimum of five percent (5%) of the interior parking and maneuvering area, that area bounded by all perimeter curbing, shall be landscaped for all parking areas containing six (6) or more spaces;

(c)2. One tree of a least 2½-inch caliper at six (6) inches above ground shall be provided for each three hundred (300) square feet of landscaped area required in (1) above, or one per each landscaped area that is less than three

hundred square (300) feet in size. Additional shrubbery within landscaped areas is recommended;

(c)3. Each landscaped area or island required above shall be a minimum of twenty five (25) square feet in size with no linear dimension less than five (5) feet including curbs;

(c)4. The landscaped areas or islands required above shall be dispersed within the parking lot to provide maximum shading, shall divide parking areas and shall be located so as to guide traffic flow and direction; and

(c)5. Graduated requirements for interior landscaping as a percentage of total size of the parking and maneuvering area measured in square feet:

<u>Size of area parking/landscaping area</u>	<u>Percent of area that must be landscaped</u>
Less than 35,000 square feet	5%
35,000-135,000 square feet	8%
Greater than 135,000 square feet	10%

4. Screening and Buffering Requirements and Methods:

a. Screening Requirements:

In all districts, in addition to landscaping, screening may be required to eliminate or reduce visual impacts, noise, odor, dust, and air pollution. Special consideration will be given to the buffering and screening between residential uses and commercial or industrial uses, and in visually sensitive areas. The areas and uses that will require screening include the following:

(a)1. Service areas and facilities, including garbage and waste disposal containers, recycling bins, and loading areas;

(a)2. Outdoor storage areas;

(a)3. On-grade and above-grade electrical and mechanical equipment such as transformers, heat pumps, air conditioners, and fuel tanks;

(a)4. Commercial or industrial uses abutting other land uses in a residential district; and

(a)5. The Planning Board may at its discretion require screening for parking lots containing six (6) or more contiguous parking spaces.

b. Screening Methods and Materials:

Screening may be accomplished by the use of suitable sight-obscuring plant materials, earth berms, walls, fences, building parapets, proper siting of disruptive elements, building placement or other design techniques. The decision by the Planning Board on which screening technique is appropriate shall be governed by the screening height and

density required in each situation. Examples of alternatives for adequate screening include:

(b)1. Berms:

Lawn and low-growing evergreen and/or deciduous shrubs covering the top and sides of the berm may be provided.

(b)2. Walls and Fences:

(i) Walls and fences shall be erected where required for privacy, screening, separation, security, erosion control or to serve other necessary and reasonable functions.

(ii) The design and materials used shall be functional and compatible with existing and proposed site architecture.

(iii) No fence or wall shall be so constructed or installed as to constitute a hazard to traffic or safety.

(b)3. The Planning Board may at its discretion approve an alternative screening design that accomplishes the screening and landscape objectives set forth in this section.

5. Submittal Requirements:

A separate landscaping and screening plan shall be submitted including but not limited to the following:

- a. Location, general type, size, and quality of existing vegetation;
- b. Existing vegetation to be saved;
- c. Methods and details for protecting existing vegetation during construction and an erosion control plan;
- d. Locations and labels for all proposed plants;
- e. Plant lists or schedules with the botanical and common name showing the required and proposed quantities, spacing, and size of all proposed landscape material at the time of planting;
- f. Location and description of other landscape improvements, such as earth berms, walls, fences, screens, sculptures, fountains, street furniture, lights, and courtyards, or paved areas; and
- g. Planting and installation details as necessary to ensure conformance with all required standards.

6. Screening and Landscaping Definitions:

a. Berm:

An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.

b. Buffer:

A combination of physical space and vertical elements, such as plants, berms, fences, or walls, the purpose of which is to separate and screen incompatible land uses from each other.

c. Landscaping:

Landscaping shall consist of any of the following or combination thereof: living material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees, and nonliving durable material commonly used in landscaping, such as but not limited to rocks, pebbles, sand, walls or fences but excluding paving.

d. Screen:

A method of reducing the impact of noise, air pollution and unsightly visual intrusions, using less offensive or more harmonious elements, such as plants, berms, fences, walls, or any appropriate combination thereof.

SECTION VI INSPECTION

At the Planning Board's discretion, a designee appointed by the Planning Board shall inspect all site improvements. The developer shall pay the costs of all such inspections.

SECTION VII WAIVERS OF SITE PLAN REVIEW REGULATIONS

The Planning Board may waive requirements listed in the Site Plan Review Regulations where it finds that such regulation does not apply to the proposed development, or in cases where, in the opinion of the Board, strict conformity would impose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the Site Plan Review Regulations.

SECTION VIII PERFORMANCE BOND

The Planning Board may require that a performance bond, in the amount to be determined by the Planning Board, in the form of a passbook, savings deposit, irrevocable letter of credit or a bond, be posted by the developer and held by the Town until the Board of Selectmen is satisfied that all conditions of the site plan approval and any other pertinent provisions of the Zoning Ordinance, Subdivision Regulations, and other Town Regulations have been met. The bond may be released in part when the project is substantially completed, at the discretion of the Board of Selectmen.

SECTION IX RECORDING

Any site plan shall be recorded with the Belknap County Registry of Deeds after approval signature by the Chair of the Planning Board. Recording shall be done by the Planning Board with all fees to be paid by the applicant.

SECTION X JOINT HEARINGS

In accordance with adopted Rules of Procedure, the Planning Board may hold a hearing on Site Plan Review in conjunction with a subdivision hearing if both are required for a proposal. A hearing for Site Plan Review by the Planning Board may be held at the same time and place that a hearing for special exception is held for the project by the Zoning Board of Adjustment.

SECTION XI AMENDMENTS

Amendments to these Site Plan Review Regulations shall be made in the same manner as these regulations were adopted and, in accordance with the procedure outlined in NH RSA 675:6, as amended.

SECTION XII SEPARABILITY

If any provision herein shall be held to be invalid for any reason by a court, such holding shall not invalidate in any manner any other provision contained herein.

SECTION XIII DEFINITIONS

The definitions section of the Zoning Ordinance is hereby adopted by reference.

SECTION XIV PENALTIES

Any violation of the Town of Sanbornton Site Plan Review Regulations shall be subject to a civil fine or other penalties as provided in NH RSA 676:15 and/or 676:17, as amended.

APPENDIX A: FEE SCHEDULE

Note: This fee schedule may be adopted and amended by the Board of Selectmen at any time following a public hearing.

SITE PLAN REVIEW FEE SCHEDULE

Multi-Family Residential Projects:

Site Plan Review Application Fee of \$200 plus \$50 per dwelling unit.

Commercial, Industrial and Institutional Projects:

Site Plan Review Application Fee of \$200 plus \$100 per acre of disturbance.

Amendment:

Amendment of a previously approved Site Plan shall be \$50.

Additional Fees:

Additional fees may also be charged for any costs incurred by the Planning Board as a result of review of the application (such as legal fees, engineering reviews, traffic studies etc.)

Note: Any additional fees are due as part of the completed application. Any other costs must be paid in full before final approval is granted by the Planning Board.

RECORDING FEES

Belknap County Registry of Deeds: A recording fee, payable to the Registry of Deeds, shall be paid in the amount currently being charged by the Belknap County Registry of Deeds for recording plans based on sheet size and the number of pages recorded. This fee must be paid in full at time of final Planning Board approval.

Town of Sanbornton: A one-time administrative fee, payable to the Town of Sanbornton, shall be paid in the amount of \$50 to cover transportation and labor costs incurred by the Sanbornton Planning Office. This fee must be paid in full at time of final Planning Board approval.

DOCUMENTS

Text documents will be billed at the rate currently being charged by the Belknap County Registry of Deeds for recording of documents.